

REMARKS

Claims 1-20 are now pending in the application. Claims 1-20 stand rejected. Applicants thank the Examiner for his comments during a telephone conference with Applicant's attorney Elizabeth D. Odell on November 2, 2005. During the conference it was noted that the cradle of Smolik et al. (U.S. Pat. No. 4,290,570) does not accommodate various payloads for a given flight. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 5, 7, 8 and 13-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Smolik et al. (U.S. Pat. No. 4,290,570). This rejection is respectfully traversed.

Smolik et al. describe a cradle 52 having slots 75, 76, 77 for three-point attachment of a satellite 51 (FIG. 9; col. 6, lines 22-24). The cradle 52 has trunnions 65, 66, 67 for three-point attachment to a space shuttle 50 by means of shuttle fittings 70, 71, 72 (FIG. 9). The cradle 52 holds a satellite during a given flight but apparently does not accommodate more than one satellite. Further, the cradle 52 apparently does not accommodate any payload other than or in addition to a single satellite.

Independent claims 1, 7 and 14 are amended. Applicants submit that the amendments to independent method claims 1, 7 and 14 should not raise new issues or require further searching. The amendments refer to the same subject matter as claim elements previously recited, for example, in a number of the dependent claims.

Applicants respectfully note that neither the first nor the final Office Action

specifically address the method elements of Applicants' claims, which are all method claims. Omission of any claimed element, no matter how insubstantial, is grounds for traversing a rejection based on Section 102. *Connell v. Sears, Roebuck & Co.*, 722 F. 2d 1542 (Fed. Cir. 1983). Applicant's amendments mailed December 22, 2004 were intended to address what Applicants' attorney had thought to be the substance of the rejections stated in the first Office Action. The present amendments to claims 1, 7 and 14 were not earlier presented because the reasons for rejecting the claims in the first Office Action were not clearly stated. For the foregoing reasons, Applicants respectfully request that the finality of the present Office Action be withdrawn.

Referring now to independent claim 1, the claim is amended to recite a method for integrating a specific payload with a launch vehicle in preparation for a specific flight. The method includes "...making a plurality of standard payload services available via a plurality of standardized payload integration points of the launch vehicle; and configuring the specific payload to interface with the standardized integration points through an interface element, the interface element configurable to reallocate a standardized allocation of one or more of the standard payload services among various payloads to be included in the specific flight, to provide one or more mission-specific and payload-specific services to the specific payload, said configuring performed apart from the launch vehicle." Smolik et al. do not anticipate "...various payloads to be included in the specific flight..." as recited in amended claim 1.

Independent claim 7 is amended to recite a method for integrating various payloads with a launch vehicle for a given flight, "...the method comprising: configuring an interface element to interface with the payloads and with a plurality of standardized

integration points of the launch vehicle to allow the payloads to interface with a plurality of systems of the launch vehicle for distribution and management of launch vehicle services to each of the various payloads to meet individual mission-specific needs of each of the various payloads...". Smolik et al. do not anticipate a method for integrating various payloads with a launch vehicle for a given flight, as recited in amended claim 7.

Independent claim 14 is amended to recite a method for integrating a given payload with a launch vehicle in preparation for a given flight, the method comprising: "...standardizing a plurality of integration points of the launch vehicle so that the integration points remain unchanged relative to various payloads and payload configurations; providing an interface element that can be configured to allocate services available from one or more systems of the launch vehicle via the standardized integration points to meet individual payload-specific and mission-specific needs of various payloads and payload configurations to be included in the given flight, including but not limited to the given payload; and configuring the given payload to interface with the interface element." Smolik et al. do not anticipate "...an interface element that can be configured to allocate services available from one or more systems of the launch vehicle via the standardized integration points to meet individual payload-specific and mission-specific needs of various payloads and payload configurations to be included in the given flight, including but not limited to the given payload..." as recited in amended claim 14.

Applicants submit that the methods claimed in claims 1, 7 and 14 are not taught or suggested by Smolik. Applicants respectfully submit that amended claims 1, 7 and

14 should be allowed. Claims 2, 5, 8, 13 and 15-16 depend from claims 1, 7 or 14 and thus are respectfully submitted to be allowable.

REJECTION UNDER 35 U.S.C. § 103

Claims 3, 4, 6, 9-12 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smolik et al. (U.S. Pat. No. 4,290,570) in view of Steffy (U.S. Pat. No. 4,711,417). This rejection is respectfully traversed.

Applicants note that claims 3, 4, 6, 9-12 and 17-20 all depend from independent claims 1, 7 or 14. As discussed previously, Applicants submit that claims 1, 7 and 14 are in condition for allowance. Accordingly, Applicants respectfully submit that claims 3, 4, 6, 9-12 and 17-20 also should be allowed.

Additionally, claim 18 (dependent on claim 14) recites "...standardizing transmission of at least one of data, fluid and power between the payload and the vehicle." Claim 19 (dependent on claim 14) recites "...reallocating a standardized allocation of a service from the launch vehicle among a plurality of payloads." Claim 20 (dependent on claim 19) recites "...wherein the reallocating is performed based on requirements of the plurality of payloads." The recitations of claims 18, 19 and 20 are not taught or suggested by Smolik et al. or Steffy, alone or in combination. Accordingly, claims 18-20 should be allowed.

CONCLUSION

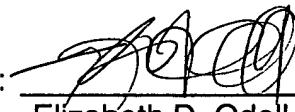
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7521.

Respectfully submitted,

Dated: November 9, 2005

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